

Monday, February 23, 2004

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RJS

VIA FAX: 202/565-9000 and Certified Mail

Ms. Rini Ghosh
Surface Transportation Board
Case Control Unit
1925 K Street, N.W.
Washington, DC 20423-0001

Received
2/24/04

RE: STB Finance Docket No. 34284

Dear Ms. Ghosh:

In response to the Notice of Intent to Prepare an Environmental Impact Statement (EIS), I am submitting the following to be considered in the formal scoping process.

I believe under the National Environment Policy Act's (NEPA) implementing regulations, two concurrent proposals with cumulative significant impacts must be evaluated in the same EIS. Clearly, the Southwest Gulf Railroad (SGR) is a wholly owned subsidiary of Vulcan Materials, born of a need to carry mined aggregate from the proposed quarry. This proposed quarry in northern Medina County does not exist. The railroad will not be built if the quarry is not built. Therefore, these are connected actions that under NEPA, must be evaluated in the same EIS. Every impact from both projects must be disclosed in a single document. This study should include direct impacts and alternatives to both projects, including no quarry and no rail line at all.

At a meeting at the Quihi Gun Club in February 2000, Vulcan Materials Southwest President Tom Ransdell stated if the aggregate was not transported by railcar there would be no quarry. Now Vulcan Materials and SGR have stated that if no railroad is built this aggregate must travel by truck to the railroad loading facility. This would result in an estimated 800 to 900 trucks daily moving the mined aggregate, something Vulcan said they would not do. I believe this statement to be a veiled threat to scare the residents of Medina County to favor the railroad. The EIS should require Vulcan Materials and SGR to produce an economic study showing the transportation of aggregate by truck. This process would include loading, transporting, unloading, and reloading the aggregate onto railcar. This economic feasibility study must surely have been completed before such a statement can be made to the STB. Anything less would have been a violation of their responsibility to their stockholders. It should be no problem for Vulcan/SGR to produce evidence of the economic viability of this option and include it in the EIS.

In addition, the following points should be addressed in the EIS:

Socio economic changes; we need to know the economic value of the incomes lost from hunting leases, residential development not built, homes remaining unsold near the quarry/railroad. The only properties and homes sold in the neighborhood where my husband and I live are a result of the purchasers never hearing of this proposed quarry/railroad. Indeed if we had known of a proposed

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quarry/railroad before we bought the property we built our home on, we would have gone elsewhere. Our home and land are our legacy to our children. With the proposed quarry within yards of our homestead, what will be the fate of our children's inheritance? What recourse will they have to stop Vulcan from deciding this proposed quarry is not big enough? How will they stop Vulcan from taking their inheritance to satisfy big business greed? It has been brought to Vulcan's attention that Quihi has many homesteads that were established as far back as 1836. Some of these homesteads would be dangerously close to the path of the proposed railroad. Vulcan has turned a deaf ear to the concerns of the Quihi Historical Society regarding these antiquities. Surely if home sites dating back to the beginning of the community of Quihi are not a concern to Vulcan, the home my husband and I have built will not be a concern as well!

As has happened in other places, wells and septic tanks have been damaged by blasting in quarries. Will Vulcan re-drill our well and our surrounding neighbor's wells should their operations cause these wells in the purposed quarry site to be damaged? The EIS should study the present condition of these surrounding wells.

The EIS should study a requirement to monitor nitrates from blasting in surrounding wells by an independent third party and should study the policies of the quarry operator to clean up these pollutants once found in these wells.

The EIS should contain a study of the migration of birds to and from Mexico and how Vulcan will maintain the proposed quarry in compliance with the Migratory Birds Treaty Act.

A full flood analysis should be completed on all proposed and alternative routes of the railroad and quarry site.

The EIS should include a study of the effects of heavy loaded truck traffic on our unimproved county roads, including the increased costs of maintaining all roads by the county and state.

The EIS should include a study on the safety issues related to grade separation versus grade level crossings at FM 2676 and CR 4516.

An in depth analysis of the fuel storage area on the quarry site must be completed to resolve the dispute arising from Vulcan's claim it is not over the Edwards Aquifer Recharge Zone. Maps from the Edwards Aquifer Association show that this is not true.

Vulcan/SGR hold themselves out to be a common carrier for the expressed purpose of thwarting the will of landowners and homesteaders to maintain the

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aesthetics and rural environment. Covenants have been formed with much forethought and expense for this purpose. The EIS should include a study on the effect that additional industry which may, or most likely may not, locate along this rail line have on the aesthetics of this cherished land.

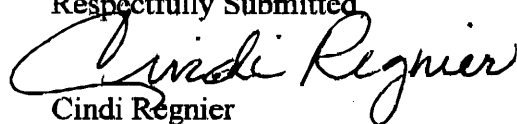
The EIS should include a study of the effects of railcars loaded with crushed aggregate on the air from the proposed quarry site to its destination. Bexar County, Texas, already is struggling to maintain clean air standards. The study should specifically address the effects on the air quality as it passes thru Bexar County as these railcars pass through and indeed along the entire route to its destination in Houston/Galveston, Texas. The EIS should include a study on the capacity of the Union Pacific lines to carry limestone into the already crowded rail traffic in the Houston/Galveston area.

Vulcan/SGR claims to be a "good neighbor" and absurdly uses as evidence the fact that \$300,000 homes co-exist in harmony with a quarry in San Antonio, Texas. The EIS should include a study on the effects to the real property values surrounding the quarry/railroad. Vulcan/SGR shows no shame in stating our property value will go up when the quarry/railroad opens.

According to the National Environmental Journal, Vulcan is the seventh worst emitter of toxic chemicals in the United States, based on air, water, land, underground, public sewage, and off-site releases. As a resident of Medina County, Texas I come to the STB with no authority to regulate Vulcan/SGR. The trust of the citizens of Medina County is placed in the hands of the STB. Therefore it is your responsibility to study all combined effects of these connected actions for all proposed and alternate options, including the no railroad no quarry option. Indeed it is your legal requirement as set forth by the National Environmental Protection Act.

Thank you for allowing me to comment on the scope of the Environmental Impact Statement.

Respectfully Submitted



Cindi Regnier
Member of the MCEAA

Cc: U.S. Senator John Cornyn
U.S. Representative Henry Bonilla
Texas Senator Frank Madla
Texas Representative Timeteo Garza
Medina County Judge Jim Barden
Medina County Commissioner Royce Hartman, Precinct 1
Dr. Robert Fitzgerald, MCEAA President